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9 Attorneys for Plaintiffs

10 *Defendant's Counsel Listed on the Next Page*

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12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 CORNELIUS CLARK, CHESTER LEWIS,  
16 JOHN PONDS, AND GARRANT COSEY, on  
behalf of themselves and all other persons  
17 similarly situated,

18 Plaintiffs,

19 vs.

20 ANNA'S LINENS, INC.

21 Defendant.  
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**CLASS ACTION**

Case No. C05-02670-MMC

**STIPULATION AND ~~PROPOSED~~ ORDER  
REGARDING EXTENSION OF CLASS  
CERTIFICATION DISCOVERY AND  
BRIEFING SCHEDULES**

Hon. Maxine M. Chesney

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**STIPULATION**

Plaintiffs Cornelius Clark, Chester Lewis, John Ponds, and Garrant Cosey ("Plaintiffs") and Defendant Anna's Linens, Inc. ("Anna's Linens") by and through their counsel of record agree that the previous deadlines approved by this Court should be revised slightly to account for an error in the calculation of extended deadlines that had been previously agreed to by the parties, to allow for the timely completion of the deposition of one of Plaintiffs' experts who is scheduled to be out of the country at the time Plaintiffs' experts depositions are to be completed under the current schedule, and to otherwise insure completion of discovery and other activities necessary to prosecute and defend the motion for class certification that Plaintiffs will file in this case. The Parties, hereby stipulate and respectfully request that the Court modify, approve, and adopt the Class Certification Discovery and Briefing Schedules as follows:

**Non-Expert Discovery Schedule**

Complete non-expert interrogatories and document discovery by	12/11/06
Complete non-expert depositions ( <i>e.g.</i> , Parties, Fed.R.Civ.P. 30(b)(6) deponents, witnesses and records custodians) by	12/11/06

**Expert Discovery and Reports**

Plaintiffs to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	10/16/06
Plaintiffs' expert(s) to be made available for deposition by	10/30/06
Defendants to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	11/20/06
Defendants' expert(s) to be made available for deposition by	12/4/06
Plaintiffs to serve rebuttal expert reports by	12/18/06
Defendant to serve supplemental expert reports by	1/2/07
Expert discovery cut-off	1/2/07

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**Class Certification Briefing Schedule**

Motion for Class Certification to be filed by	1/9/07
Defendants' Opposition to Class Certification to be filed by	2/6/07
Plaintiffs' Reply to be filed by	2/20/07
Hearing on Motion for Class Certification (on or after)	3/6/07

SO STIPULATED.

Dated: August 31, 2006

Respectfully submitted,

/S/

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1 Dated: August 31, 2006

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**ORDER**

The Court has considered the above Stipulation, and good cause appearing therefor, the Court modifies, approves, and hereby ORDERS the following schedule and deadlines for class certification discovery and briefing:

**Non-Expert Discovery Schedule**

Complete non-expert interrogatories and document discovery by	12/11/06
Complete non-expert depositions ( <i>e.g.</i> , Parties, Fed.R.Civ.P. 30(b)(6) deponents, witnesses and records custodians) by	12/11/06

**Expert Discovery and Reports**

Plaintiffs to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	10/16/06
Plaintiffs' expert(s) to be made available for deposition by	10/30/06
Defendants to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	11/13/06
Defendants' expert(s) to be made available for deposition by	11/27/06
Plaintiffs to serve rebuttal expert reports by	12/11/06
Defendant to serve supplemental expert reports by	12/26/06
Expert discovery cut-off	12/26//06

**Class Certification Briefing Schedule**

Motion for Class Certification to be filed by	1/9/07
Defendants' Opposition to Class Certification to be filed by	2/6/07
Plaintiffs' Reply to be filed by	2/20/07
Hearing on Motion for Class Certification (on <del>or after</del> )	<del>3/6/07</del> 3/9/07

IT IS SO ORDERED.

DATED: September 1, 2006

  
 THE HONORABLE MAXINE M. CHESNEY  
 UNITED STATES DISTRICT JUDGE